

NOTICE OF PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
 Room no.: 3110
 Building: STATE OFFICE BLDG
 Street address 1: 450 N MAIN ST
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84114-1201
 Mailing address 1: PO BOX 146901
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 37882 Date filed: 08/01/2013 06:29 PM
 State Admin Rule Filing Key: 154515
 Utah Admin. Code ref. (R no.): R 590 - 142 -
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Continuing Education Rule.

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
 Due to passage in 2013 of HB 160, Health System Reform Amendments, a new chapter, 23b, has been added to the insurance code. Chapter 23b is the Navigator License Act. This rule is being amended to satisfy the continuing education (CE) requirements of the Navigator Act. Other changes have been made to clarify and update code references. The only other substantive changes are to require CE providers to register via SIRCON, and to prohibit CE providers from using courses that were plagiarized, or copied from others without permission.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
 No

Rule Summary

6. Summary of the rule or change:
 Code references have been updated in the Authority section, and throughout the rule, to reference the new Chapter

23b. A few other code references have been added that should have been noted previously. The term "provider" is being revised to "registered provider." The "Continuing Education Requirements" Section 4 is amended to include Navigator licensees as well as language to state specific requirements that apply only to Navigator licensees. Changes in Section 5 clarifies which license types the experience credit applies to. Changes in Section 6 clarifies that continuing education (CE) providers must submit course completion credits through SIRCON and specifies the information that needs to be reported. Changes to Section 8 specifies the manner in which a provider electronically register as a CE provider. Changes to Section 9 specifies the manner in which a CE provider electronically reinstates a provider registration. Section 9 also prohibit CE providers from using courses that are plagiarized, or copied from others without permission.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

There will be some additional work for staff in checking to make sure those individuals that apply to renew a Navigator license have complied with the CE requirements. Additional work will be required to handle the approval process of any new Navigator CE courses that are offered by CE providers. There will be no fiscal impact on the department or state's budget.

B) Local government:

Affected: No

This rule will have no impact on local government since the rule only deals with the relationship between the department and their licensees.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This rule deals with CE for individuals and CE providers. Any new CE provider will have to pay the fee for new and renewal application, which is \$250. It is not known how many applicants will apply. There is also a small SIRCON electronic processing fee.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

New individual Navigators will have to pay cost for CE courses administered through Health and Human Services (HHS) or any registered CE provider.

Compliance Cost Information

8. Compliance costs for affected persons:

Any new CE provider resulting from the new Navigator license, will have to pay the cost for registration which is \$250 for the initial or renewal application. It is not known how many applications will be received by the department. There is a small SIRCON electronic processing fee for these applications. New individual Navigators will have to pay the cost for CE courses administered through Health and Human Services (HHS) or any other registered CE provider.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

There will be a cost to new CE providers resulting from the Navigator license, to register and renew their application with the department.

B) Name and title of department head commenting on the fiscal impacts:

Todd E. Kiser, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-23b-205(2)

31A-23b-206(1)

31A-23b-206(3)

31A-23b-206(5)

31A-26-206(1)

31A-30-209

31A-23a-202(1)

31A-2-201(3)

31A-23a-202(5)

31A-23a-202(3)

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

09/16/2013

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

09/09/2013 01:00 PM State Office Building Room 3112, 450 N. State, Salt Lake City, UT 84114

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 09/23/2013

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper

14. nouns (e.g., "Medicaid")):
insurance continuing education

File Information

15. Attach an RTF document containing the text of this rule change (filename):
There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title: Todd Kiser Commissioner Date (mm/dd/yyyy): 08/01/2013